

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

Belmont University
Plaintiff,

v

Pennsylvania Manufacturers' Indemnity
Company d/b/a PMA Insurance Group
Defendants.

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) Civil Action No.
) Jury Demanded
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)

NOTICE OF REMOVAL

The Defendant, Pennsylvania Manufacturers' Indemnity Company d/b/a PMA Insurance Group, by and through counsel hereby files this Notice of Removal pursuant to 28 U.S.C. § 1441(a) of the action pending in the Chancery Court of Davidson County, Tennessee styled *Belmont University v Pennsylvania Manufacturer's Indemnity Company d/b/a PMA Insurance Group* on the general docket of that Court to the United States District Court for the Middle District of Tennessee, at Nashville. Attached hereto as Exhibit A is a copy of Notice of Filing Notice of Removal and copies of process, pleadings, and other materials believed to be on file in the office of the Chancery Court Clerk and Master of Davidson County, Tennessee.

The above entitled suit was filed in the Chancery Court of Davidson County, Tennessee on or about August 26, 2011. This suit is of a civil nature of which the District Courts of the United States have original jurisdiction pursuant to 28 U.S.C. §1332 (a) (1) and is one which can be removed to this Court pursuant to the provisions of 28 U.S.C. §1441. This is a civil action in which the amount in controversy is in excess of the sum of

\$75,000 exclusive of interest and costs and is an action between citizens of different states.

As alleged in Plaintiff's Complaint, Plaintiff is a State of Tennessee corporation and is therefore deemed a citizen of the State of Tennessee pursuant to 28 U.S.C. §1332(c)(1). Defendant is incorporated in and has its principle place of business in State of Pennsylvania and pursuant to 28 U.S.C. §1332(c)(1) is therefore deemed a resident and citizen of Pennsylvania. The real controversy in this suit is, and at the time of commencement thereof was, and at all times since, has been a controversy between citizens of different states and the matter in controversy exceeds \$75,000 exclusive of interest and costs. Accordingly, this Court has subject matter jurisdiction over this matter pursuant to 28 U.S.C. §1332.

WHEREFORE, the Defendant, Pennsylvania Manufacturers' Indemnity Company d/b/a PMA Insurance Group prays that the above-named action now pending against it in the Chancery Court of Davidson County, Tennessee be removed therefrom to this Court.

By: s/John S. Little
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CERTIFICATE OF SERVICE

This is to certify that I served a copy of the foregoing pleading has been filed electronically, notice of which is provided through ECF system and has also been mailed via USPS, postage prepaid upon each attorney or firm of attorneys appearing of record for each adverse party or each *pro se* party on or before the filing date thereof. This further certifies that a copy of the foregoing pleading as been served email to Plaintiff's counsel, John L. Farringer, IV, at his email address of: jfarringer@sherrardroe.com.

DATE: This the 12th day of September , 2011.

WALDROP & HALL, P.A.

By: s/John S. Little